

Senate Bill No. 2065

CHAPTER 589

An act to amend Section 52456 of, and to add Article 5 (commencing with Section 491) to Chapter 3 of Part 1 of Division 1 of, the Food and Agricultural Code, relating to agriculture, and making an appropriation therefor.

[Approved by Governor September 22, 2000. Filed
with Secretary of State September 23, 2000.]

LEGISLATIVE COUNSEL'S DIGEST

SB 2065, Costa. Agriculture.

Existing law generally sets forth various powers and duties of the Department of Food and Agriculture.

This bill would create the Food Biotechnology Task Force, which would be cochaired by the Secretary of the California Health and Welfare Agency, the Secretary of the California Trade and Commerce Agency, and the Secretary of the California Department of Food and Agriculture. The task force would consult with appropriate state agencies and the University of California. The task force would also be required to contract with the California Council on Science and Technology, the University of California, or other entities, as specified. The task force would be required to report issues studied, findings, basis for their findings, and recommendations to the Governor and the Legislature by January 1, 2003. This bill would appropriate \$125,000 from the General Fund for the purposes of these provisions and express the intent of the Legislature to make further funds available to accomplish these purposes.

Existing law requires that certain seeds must bear on the label notice of the requirement to follow the conciliation or mediation dispute procedures governing disputes between labelers and authorized people.

This bill would add to the label the requirement to follow arbitration procedures.

Appropriation: yes.

The people of the State of California do enact as follows:

SECTION 1. Article 5 (commencing with Section 491) is added to Chapter 3 of Part 1 of Division 1 of the Food and Agricultural Code, to read:

Article 5. Food Biotechnology Task Force

491. The Legislature finds and declares the following:

(a) Consumers have an interest in being informed about the benefits and potential quantifiable risks to their health from products they consume. This information must be grounded in sound science, must use informative and effective communications, and shall be consistent with other production technologies.

(b) As new advances in biotechnology, including transgenic plants, are developed, it is important to understand the opportunities that new technologies offer to consumers, farmers, the livestock industry, food processors, and the environment, as well as to evaluate the potential risks.

(c) Under the existing regulatory framework for biotechnology, the United States Food and Drug Administration has the federal authority to assure that food and pharmaceutical development using biotechnology protects public health, the United States Environmental Protection Agency has the authority to review environmental issues including bioengineered pesticides, and the United States Department of Agriculture has the responsibility to regulate the introduction of genetically modified plants into the agricultural environment. Careful review of existing oversight responsibility helps in understanding the regulatory framework governing the approval of biotechnology products and will help clarify California's role in the endeavor.

(d) California is the leading agricultural state in the country, producing 350 commodities and farm gate revenues totaling nearly twenty-seven billion dollars (\$27,000,000,000) annually, of which nearly seven billion dollars (\$7,000,000,000) is exported. Support for agricultural research based in sound science, and the utilization of modern farming technologies is a key factor leading to California's strong farm economy and its competitive edge in the world market for agricultural products.

492. (a) The Legislature hereby creates the Food Biotechnology Task Force. The task force shall be cochaired by the Secretary of the California Health and Welfare Agency and the Secretary of the California Trade and Commerce Agency, and the Secretary of the California Department of Food and Agriculture. The task force shall consult with appropriate state agencies and the University of California. The California Department of Food and Agriculture shall be the lead agency.

(b) An advisory committee shall be appointed by the task force to provide input on issues reviewed by the task force. The advisory committee shall consist of representatives from consumer groups, environmental organizations, farmers, ranchers, representatives from the biotechnology industry, researchers, organic farmers, food

processors, retailers, and others with interests in the issues surrounding biotechnology.

(c) The California Department of Food and Agriculture shall make funds available to other agencies to accomplish the purposes of this article and shall contract, where appropriate, with the California Council on Science and Technology, the University of California, or other entities to review issues evaluated by the task force or support activities of the advisory committee.

(d) The task force may request particular agencies to lead the effort to evaluate various factors related to food biotechnology. As funding becomes available, the task force shall evaluate factors including all of the following:

(1) Definition and categorization of food biotechnology and production processes.

(2) Scientific literature on the subject, and a characterization of information resources readily available to consumers.

(3) Issues related to domestic and international marketing of biotechnology foods such as the handling, processing, manufacturing, distribution, labeling, and marketing of these products.

(4) Potential benefits and impacts to human health, the state's economy, and the environment accruing from food biotechnology.

(5) Existing federal and state evaluation and oversight procedures.

(e) The task force shall report issues studied, findings, basis for their findings, and recommendations to the Governor and the Legislature by January 1, 2003.

(f) An initial sum of one hundred twenty-five thousand dollars (\$125,000) is hereby appropriated from the General Fund for disbursement to the California Department of Food of Agriculture. It is the intent of the Legislature to make further funds available to accomplish the purposes contained in this article.

SEC. 2. Section 52456 of the Food and Agricultural Code is amended to read:

52456. In addition to the labeling requirements of this article, all seed, except seed at the time of sale by a retail merchant for nonfarm use, shall conspicuously bear upon the label adequate notice of the requirement to follow the conciliation, mediation, or arbitration procedures governing disputes between labelers and any person, as authorized by this chapter, and the consequences of failing to follow those procedures.

